

REMARKS / DISCUSSION OF ISSUES

Applicant(s) thank(s) the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s), and for stating that the submitted drawings are acceptable.

Claims 1-45 are pending in the application, of which claims 1-11 have been withdrawn. The non-final Office action rejects claims 12-45 under 35 U.S.C. §102(b) over U.S. Patent Application Publication No. 2002/0094063 A1 to *Nishimura et al.* Applicant(s) respectfully traverse(s) this rejection.

Specifically, as shown in FIGS. 10-12, *Nishimura* describes a shield device 6 for retaining a substance originating from a target drive device 3 wherein shield device 6 employs a two-layer filter having a base silicon nitride layer 28 and a silicon dioxide layer 29 that are transparent to ultraviolet and further employs a support structure in the form of a silicon base plate 27. See, *Nishimura* at paragraphs [0120]-[0128].

Claims 12-28 are patentable under 35 U.S.C. §102(b) over the cited reference at least because *Nishimura* fails to describe, expressly or inherently, the two-layer filter 28/29 being preponderantly molybdenum, zirconium carbide (ZrC), zirconium dioxide, silicon carbide (SiC), boron nitride (BN), or a combination thereof as recited in independent claim 12, and therefore also in claims 13-28 which depend, directly or indirectly, from independent claim 12. Accordingly, withdrawal of the §102(b) rejection of claims 12-28 under 35 U.S.C. §102(b) is respectfully requested.

Claims 29-39 are patentable under 35 U.S.C. §102(b) over the cited reference at least because *Nishimura* fails to describe, expressly or inherently, the support

structure 27 being preponderantly molybdenum, zirconium carbide (ZrC), zirconium dioxide, silicon carbide (SiC), silicon nitride (Si₃N₄), boron nitride (BN), or a combination thereof as recited in independent claim 29, and therefore also in claims 30-39 which depend, directly or indirectly, from independent claim 29. Accordingly, withdrawal of the §102(b) rejection of claims 29-39 under 35 U.S.C. §102(b) is respectfully requested.

Claims 40-45 are patentable under 35 U.S.C. §102(b) over the cited reference at least because *Nishimura* fails to describe, expressly or inherently, a single layer filter being preponderantly molybdenum, zirconium carbide (ZrC), zirconium dioxide, silicon carbide (SiC), silicon nitride (Si₃N₄), boron nitride (BN), or a combination thereof as recited in independent claim 40, and therefore also in claims 41-45 which depend, directly or indirectly, from independent claim 40. Accordingly, withdrawal of the §102(b) rejection of claims 40-45 under 35 U.S.C. §102(b) is respectfully requested.

In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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